the treatment of ascarid infections in dogs.

EFFECTIVE DATE: May 25, 1982.

FOR FURTHER INFORMATION CONTACT: Bob G. Griffith, Bureau of Veterinary Medicine (HFV–112), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3430.

SUPPLEMENTARY INFORMATION: Beecham Laboratories, Division of Beecham, Inc., Bristol, TN 37620, filed NADA 128–517 providing for use of 60-, 120-, and 180-milligram (mg) diethylcarbamazine citrate chewable tablets for prevention of heartworm disease in dogs caused by *Dirofilaria immitis,* and as an aid in the treatment of ascarid *(Toxocara canis,* and *Toxascaris leonina*) infections in dogs.

The product is similar to another tablet that was the subject of a National Academy of Sciences/National Research Council (NAS/NRC) review which was published in the **Federal Register** of January 8, 1969 (34 FR 275). The NAS/NRC review stated, and the agency concurred, that diethylcarbamazine is probably not effective as a treatment against filariasis, that more information is needed regarding the dosage level to support claims for prevention of filariasis, and that the drug is effective as an aid in the treatment of ascarid infections in dogs and cats when administered at 25 to 50 mg per pound of body weight as a single dose with a repeat dose given after 10 to 20 days. Sponsors of NADA's for products which did not reflect the conclusions of the notice were required to update their applications by submitting revised labeling or adequate documentation to support the labeling used. Those sponsors whose NADA's satisfied the requirements of the NAS/NRC notice or were found equivalent to the NAS/NRC reviewed products are codified in the regulations in 21 CFR 520.620 and 520.622.

A NAS/NRC review of another dosage form, diethylcarbamazine medicated premix, was published in the **Federal Register** of June 16, 1970 (35 FR 9869). The review concluded that the product is probably effective, and the agency concluded that it is effective, as an aid in the prevention and elimination of large roundworms (ascarids) in dogs when given as directed. The review established the effectiveness of the drug for use in prevention of ascarid infections.

Beecham Laboratories submitted data from a controlled artificial challenge study, a palatability study, and reprints from published scientific literature to demonstrate that diethylcarbamazine is safe and effective for use, as labeled, in prevention of heartworm disease. The agency granted a waiver from the requirements of 21 CFR 514.111(a)(5)(ii) for further studies to provide substantial evidence of effectiveness for that claim. The claims for control and treatment of ascarid infections are approved on the basis of the NAS/NRC reviews. The NADA is approved and the regulations are amended to reflect the approval.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

List of Subjects in 21 CFR Part 520

Animal drugs, oral use.

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR Part 5.83), Part 520 is amended in § 520.622c by adding new paragraph (b)(7) to read as follows:

§ 520.622c Diethylcarbamazine citrate chewable tablets.

* * * * *

(b) * * *

(7) For 000029 use of 60-, 120-, or 180-milligram tablets as in paragraph (c)(2)(ii) of this section.

* * * * *

Effective date: May 25, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: May 18, 1982.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 82–14066 Filed 5–24–82; 8:45 am]

BILLING CODE 4160–01–M

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21 CFR Part 520

Oral Dosage Form New Animal Drugs not Subject to Certification; Levamisole Hydrochloride Paste

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed for Cyanamid Agricultural de Puerto Rico, Inc., providing for safe and effective use of levamisole hydrochloride paste in cattle for treating nematode infections.

EFFECTIVE DATE: May 25, 1980.

FOR FURTHER INFORMATION CONTACT: William D. Price, Bureau of Veterinary Medicine (HFV–123), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–3442.

SUPPLEMENTARY INFORMATION: Cyanamid Agricultural de Puerto Rico, Inc. (CAPRI), Manati, PR 00701, is the sponsor of an NADA (126–237) filed on its behalf by American Cyanamid Co. The application provides for use of levamisole hydrochloride paste in cattle for treating infections of stomach worms, intestinal worms, and lung worms. Approval is based on data contained in NADA's 39–356, 39–357, and 44–015 and on well-controlled studies with this new oral dosage form. The NADA is approved, and the regulations are amended to provide for use of the new dosage form.

Under the Bureau of Veterinary Medicine's supplemental approval policy of (42 FR 64367; December 23, 1977), approval of this NADA has been treated as would the approval of a Category II supplement and did not require reevaluation of the safety and effectiveness data in related NADA's 39–356, 39–357, and 44–015.

The Bureau of Veterinary Medicine has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement therefore will not be prepared. The Bureau's finding of no significant impact and the evidence supporting this finding, contained in a statement of exemption (pursuant to 21

CFR 25.1 (f)(1)(iii)), may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (address above), from 9 a.m. to 4 p.m., Monday through Friday.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

List of Subjects in 21 CFR Part 520

Animal drugs, oral use.

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 520 is amended by adding new § 520.1242f to read as follows:

§ 520.1242f Levamisole hydrochloride paste.

(a) *Specifications.* The drug is a paste containing 11.5 percent levamisole hydrochloride.

(b) *Sponsor.* See No. 043781 in § 510.600(c) of this chapter.

(c) *Related tolerances.* See § 556.350 of this chapter.

(d) *Conditions of use.* It is used in cattle as follows:

(1) *Amount.* Eight milligrams of levamisole hydrochloride per kilogram of body weight, as a single oral dose.

(2) *Indications for use.* Anthelmintic effective against the following nematode infections: Stomach worms (*Haemonchus, Trichostrongylus, Ostertagia*), intestinal worms (*Trichostrongylus, Cooperia, Nematodirus, Bunostomum, Oesophagostomum*), and lungworms (*Dictyocaulus*).

(3) *Limitations.* Conditions of constant helminth exposure may require re-treatment within 2 to 4 weeks after the first treatment; do not administer to dairy cattle within 6 days of slaughter for food; do not administer to animals of breeding age; consult veterinarian before using in severely debilitated animals.

Effective date. May 25, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: May 18, 1982.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc. 82–14066 Filed 5–24–82; 8:45 am]

BILLING CODE 4160–01–M

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21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Tylosin and Sulfamethazine

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) sponsored by Old Monroe Elevator & Supply Co., Inc., providing for use of a tylosin and sulfamethazine premix to make complete swine feeds.

EFFECTIVE DATE: May 25, 1982.

FOR FURTHER INFORMATION CONTACT: Jack C. Taylor, Bureau of Veterinary Medicine (HFV–136), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–5247.

SUPPLEMENTARY INFORMATION: Old Monroe Elevator & Supply Co., Inc., Old Monroe, MO 63369, is sponsor of NADA 128–835 for Thrifty Swine Mix Tylan 5 Sulfa Premix, a premix containing 5 grams per pound each of tylosin (as tylosin phosphate) and sulfamethazine. This NADA provides for safe and effective use of the premix for subsequent manufacture of complete swine feed to be used for (1) maintaining weight gain and feed efficiency in the presence of atrophic rhinitis, (2) lowering the incidence and severity of *Bordetella bronchiseptica*, (3) prevention of swine dysentery (vibironic), and (4) control of swine pneumonias caused by bacterial pathogens (*Pasteurella multocida* and/or *Corynebacterium pyogenes*).

Approval of the application is based on safety and effectiveness data contained in Elanco's approved NADA's 12–491 and 41–275. Elanco has authorized FDA to refer to these applications to support approval of the application. Because this approval does not change the approved use of the drug, it poses no increased human risk from exposure to drug residues and does not affect the conditions of safe use in the target animal species. Accordingly, under the Bureau of Veterinary Medicine's supplemental approval policy (42 FR 64367; December 23, 1977), approval of this NADA has been treated as would approval of a Category II supplement and does not require reevaluation of the safety and effectiveness data in NADA 12–491 and NADA 41–275.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

This action is governed by the provisions of 5 U.S.C. 556 and 557 and is therefore excluded from Executive Order 12291 by section 1(a)(1) of the Order.

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 558 is amended in § 558.630 *Tylosin and sulfamethazine* by adding, in numerical sequence, drug sponsor code "026948" to paragraph (b)(9).

Effective date. May 25, 1982.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: May 18, 1982.

Gerald B. Guest,

Acting Director, Bureau of Veterinary Medicine.

[FR Doc 82–14067 Filed 5–24–82; 8:45 am]

BILLING CODE 4160–01–M

21 CFR Part 610

[Docket No. 81N-0133]

General Biological Products Standards; Amendment of Container Label Requirements

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the biologics regulations to reflect the requirement that the statement: "Caution: Federal law prohibits dispensing without prescription" be placed on labels of all prescription biologicals. The agency is issuing the final rule to clarify an existing licensing requirement that has been enforced for many years.

EFFECTIVE DATE: June 24, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph Wilczek, Bureau of Biologics (HFB-620), Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205, 301-443-1306.

SUPPLEMENTARY INFORMATION: In the Federal Register of August 7, 1981 (46 FR 40212), FDA published a proposal to amend §§ 610.60 and 610.61 (21 CFR 610.60 and 610.61) to reflect the existing requirement that the statement: "Caution: Federal law prohibits dispensing without prescription" be placed on the labels of all prescription biological products. Interested persons were given until October 6, 1981 to submit written comments regarding the proposal.

Section 503(b)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b)(4)) states that a prescription drug is misbranded unless this cautionary statement appears on its label. Section 201.100(b)(1) (21 CFR 201.100(b)(1)) currently requires this cautionary statement for all prescription drugs, including biological products intended for human use. The requirement is being added to the biologics regulations to make clear that it applies to biological products as well as other drugs.

Four comments were received on the proposal. A summary of the comments and FDA's response to the comments follows:

1. One comment from a biologic manufacturer stated that FDA has approved its labels which do not include the word "Caution", but merely the words "Federal law prohibits dispensing without prescription."

The agency acknowledges that it has inadvertently approved these labels. Because the final rule constitutes a labeling change for the manufacturer that could result in some economic hardship, the agency will permit use of the current supply of labels, providing that the next printing of labels will include the word "Caution". This action will preclude any economic hardship to the manufacturer.

2. One comment suggested that the regulation include the words "for prescription biologicals" rather than "if appropriate" after the cautionary statement. The proposed regulation required that the container and package label contain "[t]he statement 'Caution: Federal law prohibits dispensing without prescription,' if appropriate." The comment stated that the phrase "if appropriate" after the cautionary statement is vague and needs clarification.

The agency agrees with the comment and is amending the final rule by deleting the words "if appropriate" and substituting the words "for prescription biologicals".

3. One comment objected to the requirement that the cautionary statement be placed on the container label because of space limitations on small container labels.

The agency is aware that the container label for certain products is too small to contain the cautionary statement and therefore permits that statement to be deleted from such container labels provided that the package label for the product contains the cautionary statement. See § 610.60(c).

4. One comment stated that publication of the proposal was unnecessary, that the proposal should be retracted, and that the document should be published instead as a notice. The comment stated that the proposal is already a statutory requirement in the existing drug regulations because biologicals are considered drugs and therefore are subject to the provisions of the Federal Food, Drug, and Cosmetic Act. The comment further stated that the proposal would merely add volume to an overcrowded Code of Federal Regulations (CFR) without adding substance to it.

It is not the agency's policy to duplicate routinely regulations in the CFR. The agency advises that the proposal was published as a result of industry inquiries on the subject. Large corporations with a legal staff to interpret government regulations are well aware of the statutory basis for the regulation. The agency, however, also is aware that there are many small businesses that cannot afford a legal staff and may not have ready access to a comprehensive set of CFR's for drugs and biologics. For these reasons, the agency is amending the biologics regulations by adding the cautionary statement in the labeling provisions, obviating the need to cross-reference drug regulations. Consequently, the agency rejects the comment.

Accordingly, FDA is adopting the proposal with the one revision as described above.

FDA has reexamined the regulatory impact and regulatory flexibility implications of the final rule in accordance with Executive Order 12291 and the Regulatory Flexibility Act. The final rule is merely a clarification of an existing licensing requirement that has been enforced for many years. The agency believes that the final rule will not affect manufacturers of biological products. Therefore, the agency concludes that the final rule does not warrant designation as a major rule under section 1(b) of Executive Order 12291. For the same reasons, the agency certifies that a regulatory flexibility analysis is not required because the final rule will not have a significant economic impact on a substantial number or small entities.

List of Subjects in 21 CFR Part 610

Biologics, labeling.

PART 610—GENERAL BIOLOGICAL PRODUCTS STANDARDS

Therefore, under the Federal Food, Drug, and Comestic Act (secs. 201, 502, 701, 52 Stat. 1040–1042 as amended, 1050–1051 as amended, 1055–1056 as amended (21 U.S.C. 321, 352, 371)) and the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)), Part 610 is amended as follows:

1. In § 610.60 by adding new paragraph (a)(6), to read as follows:

§ 610.60 Container label.

(a) * * *

(6) The statement: "Caution: Federal law prohibits dispensing without prescription," for prescription biologicals.

* * * * *

2. In § 610.61 by adding new paragraph (t), to read as follows:

§ 610.61 Package label.

* * * * *

(t) The statement: "Caution: Federal law prohibits dispensing without prescription," for prescription biologicals.

Effective date. June 24, 1982.

(Secs. 201, 502, 701, 52 Stat. 1040–1042 as amended, 1050–1051 as amended, 1055–1056 as amended (21 U.S.C. 321, 352, 371); sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262))

Dated May 3, 1982.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 82-14142 Filed 5-24-82; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 660

[Docket No. 81N-0119]

Additional Standards for Blood Grouping Serum; Use of Chemically Modified Antisera

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the biologics regulations by revising potency requirements for Blood Grouping Sera to permit marketing of chemically modified Blood Grouping Sera. Current potency test requirements are unsuitable for chemically modified Blood Grouping Sera. The agency is amending the regulations to permit, where appropriate, the use of alternative manufacturing methods, procedures, or potency tests for such products as chemically modified Blood Grouping Sera.

EFFECTIVE DATE: June 24, 1982.

FOR FURTHER INFORMATION CONTACT: Joseph Wilczek, Bureau of Biologics (HFB–620), Food and Drug Administration, 8800 Rockville Pike, Bethesda, MD 20205, 301–443–1306.

SUPPLEMENTARY INFORMATION: In the Federal Register of July 7, 1981 (46 FR 35122), FDA published a proposal to amend § 660.25 (21 CFR 660.25) of the biologics regulations to permit alternative manufacturing procedures or test methods in the manufacture of chemically modified Blood Grouping Sera. Manufacturers have developed this new class of products which does not react serologically like traditional Blood Grouping Sera. Serial dilutions of the chemically modified Blood Grouping Sera do not provide satisfactory titer values in direct agglutination assays as prescribed in § 660.25(a)(5). Manufacturers, however, have developed other test methods to ensure the effectiveness of chemically modified Blood Grouping Sera.

The proposed rule stated that alternative test methods or manufacturing procedures would be acceptable to the agency if these methods or procedures provided assurances of the specificity, potency, and effectiveness of the modified Blood Grouping Serum equal to or exceeding the assurances provided by the manufacturing procedures or test methods currently prescribed by the additional standards.

Interested persons were given until September 8, 1981 to submit written comments regarding the proposal. Three comments were received. Two comments fully endorsed the proposed rule. A third comment stated that the proposed rule was not in full compliance with the Regulatory Flexibility Act. That comment was from the Chief Counsel for Advocacy of the U.S. Small Business Administration.

The Small Business Administration's Office of Advocacy is responsible for coordinating implementation of the Regulatory Flexibility Act. The comment stated that there was not enough information presented in the proposal to determine whether the proposed action would have a neutral or beneficial effect on small businesses.

The agency advises that the proposal was a direct result of an industry request to market chemically modified Blood Grouping Sera. There are 11 licensed manufacturers of Blood Grouping Sera, not all of which are small businesses. The agency concludes that the final rule will not affect a substantial number of small entities. Moreover, the final rule places no significant economic burden on manufacturers. On the contrary, the rule is expected to be beneficial to these manufacturers because it will permit them to produce a more effective, safer, and more marketable product. As it simply gives a manufacturer greater flexibility in the techniques used to produce and test the product, the rule's economic impact is not expected to vary depending on the size of the manufacturer. Under its provisions, any manufacturer may elect to produce the new, chemically modified Blood Grouping Sera or the traditional Blood Grouping Sera. The only alternative to the rule would be to apply current potency test requirements to chemically modified Blood Grouping Serum. That approach would prevent manufacturers from marketing this new product because they would not have substitute test methods for evaluating it. Accordingly, the agency is issuing the final rule as proposed, and believes that this action will have a beneficial impact on manufacturers marketing Blood Grouping Sera.

In light of its reexamination of the economic impact of this final rule, FDA has determined that it does not require either a regulatory impact analysis, as specified in Executive Order 12291, or a regulatory flexibility analysis, as defined in the Regulatory Flexibility Act (Pub. L. 96–354). The decision whether to produce chemically modified Blood Grouping Sera or traditional Blood Grouping Sera remains with the manufacturer and is not imposed on industry by the final rule. The final rule will relieve a restriction on a specific segment of the biologics industry and is expected to result in the availability of a more effective, safer, and more marketable product. Therefore, the agency concludes that the final rule is not a major rule as defined in Executive Order 12291. Further, the agency certifies that the implementation of the final rule will not have a significant impact on a substantial number of small entities, as defined in the Regulatory Flexibility Act.

List of Subjects in 21 CFR Part 660

Biologics, labeling.

Therefore, under the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10 (formerly 5.1; see 46 FR 26052; May 11, 1981)), Part 660 is amended in § 660.25 by adding new paragraph (d) to read as follows:

PART 660—ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS

§ 660.25 Potency test without reference preparations.

* * * * *

(d) *Equivalent methods.* Modification of any particular manufacturing method or procedure, including modification of required potency test procedures, shall be permitted whenever a manufacturer presents evidence demonstrating that the alternative methods, procedures, or tests will provide assurances of the specificity, potency, and effectiveness of the modified Blood Grouping Serum that are equal to or greater than the assurances provided by the methods, procedures, or tests currently prescribed by such standards, and the Director, Bureau of Biologics, so finds and makes such finding a matter of official record.

Effective date. This regulation is effective June 24, 1982.

(Sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262))